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Date May 31, 2006	Client/Matter Number FUJI 18.099 (100794-11562)
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Comments**** EXPEDITED PROCEDURE ******Serial No.: 09/734,856****4 pages – APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR § 1.705****For Messenger Department Use Only**

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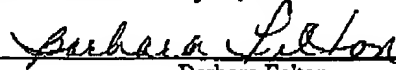
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Barbara Felton

Attorney Docket No.: 100794-11562 (FUJI 18.099)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Masatsugu TAKEUCHI et al.
Confirmation No.: 4740
Serial No.: 09/734,856
Filed: December 12, 2000
Title: **APPARATUS PRODUCING CONTINUOUS STREAM OF ...**
Examiner: Jason M. Perilla
Group Art Unit: 2638

May 31, 2006

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

APPLICATION FOR PATENT TERM ADJUSTMENT UNDER 37 CFR § 1.705

Sir:

In response to the Determination of Patent Term Adjustment under 35 U.S.C. § 154(b)
issued with the Notice of Allowance dated March 14, 2006, Applicants respectfully request that
the patent term adjustment be reconsidered.

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Any fee due with this paper, including those set forth in 37 CFR § 1.18(e), may be charged on Deposit Account 50-1290.

The Patent Term Adjustment of 615 days specified in the above-referenced Determination should, instead, be 769 days:

(a) a 20-day reduction of patent term adjustment was applied for Applicants' June 21, 2004 Response to the non-final Action dated March 1, 2004. The Examiner reset, however, the Response Period for the March 1, 2004 non-final Action on March 19, 2004. Therefore, Applicants' June 21, 2004 Response was within three months of the Response Period reset date of March 19, 2004—June 19, 2004 being a Saturday and June 21, 2004 being the next succeeding business day. 37 CFR § 1.7(a). Applicants, thus, respectfully submit that the 20-day reduction of patent term adjustment should be removed, and the 20 days should be reinstated to the patent term adjustment.

(b) a 153-day reduction of patent term adjustment was applied for Applicants' April 14, 2005 information disclosure statement ("IDS"). This reduction was apparently calculated from Applicants' November 12, 2004 Response to non-final Action. Applicants respectfully submit that patent term adjustment reductions for IDS's are govern by 37 CFR § 1.704(d). And pursuant to 37 CFR § 1.704(d), an applicant is not deemed to have failed to engage in reasonable efforts, as defined in 37 CFR § 1.704(a), until an IDS is filed more than 30 days after a communication from a foreign patent office in a counterpart application was received by an individual designated in 37 CFR § 1.56(c). Applicants' April 14, 2005 IDS included two

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communications from the European Patent Office and references cited in those communications.

The earlier communication was received by a § 1.56(c) individual on February 24, 2005, as shown by a date stamp on the communication filed with the IDS. Therefore, the § 1.704 reduction period began on March 26, 2005 (30 days after the first communication from the European Patent Office was received on February 24, 2005), and not the November 12, 2004 filing date of Applicants' earlier Response. As such, Applicants' April 14, 2005 IDS was filed 19 days after the 30-day period set forth in §§ 1.704(a) & (d) elapsed on March 26, 2005. Accordingly, Applicants respectfully submit that the reduction of patent term adjustment should be 19 days instead of 153 days, and 134 days should be reinstated to the patent term adjustment.

In view of the above, a total of 154 days should be reinstated to the patent term adjustment, which should yield a total of $615 + 154 = 769$ days of patent term adjustment. This application is not subject to any terminal disclaimers, and Applicants have not, otherwise, failed to engage in reasonable efforts to conclude processing or examination of the application.

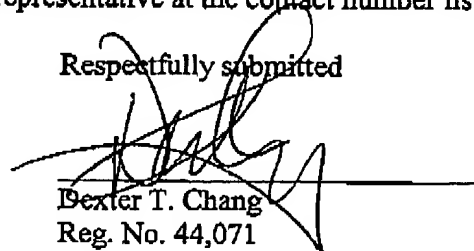
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Applicants respectfully request that this matter be resolved promptly, and that inquiries

be directed to Applicants' undersigned representative at the contact number listed below.

Respectfully submitted



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Docket No.: 100794-11562 (FUJI 18.099)

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